

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

UNITED STATES OF AMERICA,)	
)	
v.)	Criminal No. 3:98cr101-01
)	
DARRYL G. RILEY,)	
)	
<i>Defendant.</i>)	

United States' Response to Defendant's Motion for Early Termination of his Supervised Release

The defendant seeks early termination of his supervised release, which was set for a five-year term. For the reasons that follow, the United States objects to this request.

BACKGROUND

On October 16, 1998, Riley was found guilty on Counts One through Four, and Count Six of the Superseding Indictment, following a four-day jury trial. ECF No. 148. Count One charged Riley and his co-defendants with conspiracy to distribute 50 grams or more of cocaine base, in violation of 21 U.S.C § 846; and in Counts Two through Four, and Count Six, with distribution of 50 grams or more of cocaine base, in violation of 21 U.S.C. § 841(b)(1)(A). On January 27, 1999, Riley was sentenced to life on all counts, to run concurrently, and to five years of supervised release. ECF No. 194. On December 14, 2021, the Court reduced Riley's term of imprisonment from life to 360 months. ECF No. 606. Riley now files a motion for early termination of his five-year term of supervised release, after only serving 21 months of his 60-month term of supervision. Riley has almost 40 more months of supervision before he completes his five-year term of supervised release, and as such, he has only served less than two years on supervision. Given the nature of the defendant's conduct, the United States objects to his early

termination of his supervised release. His offense here was significant and presented a clear danger to the community.

As the PSR explains, Riley's conspiracy lasted for over seven years, and he was considered the leader of this organized enterprise. PSR at ¶ 88. His attributable drug weight was deemed well over 1.5 kilograms of cocaine base, yielding the highest base offense level of 38, but the evidence showed a much larger amount of drugs were involved. More importantly, Riley was involved in the murder of one conspirator, and the shooting of another. *Id.* at ¶¶ 63-71.

Given the seriousness of the criminal activity involved, the fact that Riley never accepted responsibility for his criminal conduct, and the relatively short period of supervised release served to date, the United States opposes his early termination here.

CONCLUSION

For the foregoing reasons, the United States respectfully recommends that the Court deny the defendant's motion for early termination of supervised release.

Respectfully submitted,

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/s/
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of July 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and will mail, postage prepaid, a true and correct copy of this response to the following:

Daryl Riley
7 N. 8th Street, Apt. 901
Richmond, VA 23219

_____/s/_____
Peter S. Duffey
Assistant United States Attorney